

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DENNIS LOVELADY,

Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,

Defendants.

Case No. 2:12-cv-01290-RCJ-PAL

ORDER

(Mtn to Withdraw - Dkt. #14)

This matter is before the court on the Motion to Withdraw as Counsel of Record (Dkt. #14) filed November 13, 2012. Cal J. Potter, III, and Norman N. Hirata seek to withdraw as counsel of record for Plaintiff Dennis Lovelady and an extension of time for Plaintiff to respond to written discovery requests propounded on Plaintiff by Defendant Las Vegas Metropolitan Police Department ("LVMPD") and Defendant Officer D. Coyne ("Officer Coyne"). The Motion represents that Plaintiff's mother, Jennifer Lovelady, retained Mr. Potter and Mr. Hirata to prosecute this case on Plaintiff's behalf. On August 3, 2012, Ms. Lovelady advised Mr. Potter that she could not satisfy the terms of her agreement with counsel for Plaintiff's representation. Mr. Potter advised Ms. Lovelady he would request leave of court to withdraw from further representation of Plaintiff. On November 9, 2012, Mr. Potter advised Plaintiff that he and Mr. Hirata would seek leave to withdraw as counsel for Plaintiff. Local Rule IA 10-6 provides that "no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result." Plaintiff filed his complaint in state court, and Defendants filed a Petition for Removal (Dkt. #1) in this court on July 20, 2012. The court entered a Scheduling Order (Dkt. #12) on September 12, 2012. Discovery closes on August 28, 2012.

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Having reviewed and considered the matter, and for good cause shown,

IT IS ORDERED:

1. The Motion to Withdraw as Counsel of Record (Dkt. #14) is GRANTED.
2. Plaintiff shall have until **December 26, 2012**, in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice or to file a statement that he will be proceeding pro se.
3. Failure to comply with this order may result in a recommendation to the District Judge for sanctions, including case-dispositive sanctions.
4. Plaintiff shall respond to LVMPD's Requests for Admission, Interrogatories, and Requests for Production of Documents; and Officer Coyne's Interrogatories and Requests for Production of Documents by **January 11, 2013**.
4. The Clerk of Court shall serve a copy of this Order on the following:

Dennis Lovelady #1079043
Southern Desert Correctional Center
P.O. Box 208
Indian Spring, Nevada 89070

Jennifer Lovelady
3165 S. Tenaya Way
Las Vegas, Nevada 89117

Dated this 26th day of November, 2012.


PEGGY A. GREEN
UNITED STATES MAGISTRATE JUDGE